
HOUSE BILL No. 1536

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-42-19-5; IC 25-22.5-1; IC 25-27.5.

Synopsis: Physician assistants. Authorizes: (1) a physician to delegate prescribing privileges to a physician assistant; and (2) a physician assistant to prescribe legend drugs. Restricts a physician assistant from prescribing, administering, or monitoring general anesthesia, regional block anesthesia, or deep sedation unless certain conditions are met.

Effective: July 1, 2003.

Welch, Brown C, Becker

January 16, 2003, read first time and referred to Committee on Public Health.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1536

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-42-19-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. As used in this
3 chapter, "practitioner" means any of the following:

- 4 (1) A licensed physician.
- 5 (2) A veterinarian licensed to practice veterinary medicine in
6 Indiana.
- 7 (3) A dentist licensed to practice dentistry in Indiana.
- 8 (4) A podiatrist licensed to practice podiatric medicine in Indiana.
- 9 (5) An optometrist who is:
 - 10 (A) licensed to practice optometry in Indiana; and
 - 11 (B) certified under IC 25-26-15.
- 12 (6) An advanced practice nurse who meets the requirements of
13 IC 25-23-1-19.5.
- 14 (7) **A physician assistant certified under IC 25-27.5 who is**
15 **delegated prescriptive authority under IC 25-27.5-5-6.**

16 SECTION 2. IC 25-22.5-1-1.1 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1.1. As used in this



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1 article:

2 (a) "Practice of medicine or osteopathic medicine" means any one
3 (1) or a combination of the following:

4 (1) Holding oneself out to the public as being engaged in:

5 (A) the diagnosis, treatment, correction, or prevention of any
6 disease, ailment, defect, injury, infirmity, deformity, pain, or
7 other condition of human beings;

8 (B) the suggestion, recommendation, ~~or~~ prescription, or
9 administration of any form of treatment, without limitation;

10 (C) the performing of any kind of surgical operation upon a
11 human being, including tattooing, except for tattooing (as
12 defined in IC 35-42-2-7), in which human tissue is cut, burned,
13 or vaporized by the use of any mechanical means, laser, or
14 ionizing radiation, or the penetration of the skin or body orifice
15 by any means, for the intended palliation, relief, or cure; or

16 (D) the prevention of any physical, mental, or functional
17 ailment or defect of any person.

18 (2) The maintenance of an office or a place of business for the
19 reception, examination, or treatment of persons suffering from
20 disease, ailment, defect, injury, infirmity, deformity, pain, or other
21 conditions of body or mind.

22 (3) Attaching the designation "doctor of medicine", "M.D.",
23 "doctor of osteopathy", "D.O.", "osteopathic medical physician",
24 "physician", "surgeon", or "physician and surgeon", either alone
25 or in connection with other words, or any other words or
26 abbreviations to a name, indicating or inducing others to believe
27 that the person is engaged in the practice of medicine or
28 osteopathic medicine (as defined in this section).

29 (4) Providing diagnostic or treatment services to a person in
30 Indiana when the diagnostic or treatment services:

31 (A) are transmitted through electronic communications; and

32 (B) are on a regular, routine, and non-episodic basis or under
33 an oral or written agreement to regularly provide medical
34 services.

35 In addition to the exceptions described in section 2 of this chapter,
36 a nonresident physician who is located outside Indiana does not
37 practice medicine or osteopathy in Indiana by providing a second
38 opinion to a licensee or diagnostic or treatment services to a
39 patient in Indiana following medical care originally provided to
40 the patient while outside Indiana.

41 (b) "Board" refers to the medical licensing board of Indiana.

42 (c) "Diagnose or diagnosis" means to examine a patient, parts of a

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1 patient's body, substances taken or removed from a patient's body, or
 2 materials produced by a patient's body to determine the source or
 3 nature of a disease or other physical or mental condition, or to hold
 4 oneself out or represent that a person is a physician and is so examining
 5 a patient. It is not necessary that the examination be made in the
 6 presence of the patient; it may be made on information supplied either
 7 directly or indirectly by the patient.

8 (d) "Drug or medicine" means any medicine, compound, or
 9 chemical or biological preparation intended for internal or external use
 10 of humans, and all substances intended to be used for the diagnosis,
 11 cure, mitigation, or prevention of diseases or abnormalities of humans,
 12 which are recognized in the latest editions published of the United
 13 States Pharmacopoeia or National Formulary, or otherwise established
 14 as a drug or medicine.

15 (e) "Licensee" means any individual holding a valid unlimited
 16 license issued by the board under this article.

17 (f) "Prescribe or prescription" means to direct, order, or designate
 18 the use of or manner of using a drug, medicine, or treatment, by spoken
 19 or written words or other means.

20 (g) "Physician" means any person who holds the degree of doctor of
 21 medicine or doctor of osteopathy or its equivalent and who holds a
 22 valid unlimited license to practice medicine or osteopathic medicine in
 23 Indiana.

24 (h) "Medical school" means a nationally accredited college of
 25 medicine or of osteopathic medicine approved by the board.

26 (i) ~~Physician's~~ **Physician** assistant" means an individual who:

27 (1) ~~is an employee of~~ **supervised by** a physician;

28 (2) ~~is a graduate of a physician's assistant training program~~
 29 ~~approved by the board;~~

30 **(2) graduated from a physician assistant or surgeon assistant**
 31 **program accredited by an accrediting agency under**
 32 **IC 25-27.5-2-4.5;**

33 (3) ~~has successfully completed the national examination~~
 34 ~~administered by the national commission on the certification of~~
 35 ~~physician's assistants; passed the certifying examination~~
 36 ~~administered by the National Commission on Certification of~~
 37 **Physician Assistants (NCCPA) and maintains certification;**
 38 and

39 (4) ~~has registered with the board; been certified by the physician~~
 40 **assistant committee under IC 25-27.5.**

41 (j) "Bureau" refers to the health professions bureau under IC 25-1-5.

42 SECTION 3. IC 25-22.5-1-2, AS AMENDED BY P.L.255-2001,

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SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) This article, as it relates to the unlawful or unauthorized practice of medicine or osteopathic medicine, does not apply to any of the following:

(1) A student in training in a medical school approved by the board, or while performing duties as an intern or a resident in a hospital under the supervision of the hospital's staff or in a program approved by the medical school.

(2) A person who renders service in case of emergency where no fee or other consideration is contemplated, charged, or received.

(3) A paramedic (as defined in IC 16-18-2-266), an advanced emergency medical technician (as defined in IC 16-18-2-6), an emergency medical technician (as defined in IC 16-18-2-112), or a person with equivalent certification from another state who renders advanced life support (as defined in IC 16-18-2-7) or basic life support (as defined in IC 16-18-2-33.5):

(A) during a disaster emergency declared by the governor under IC 10-4-1-7 in response to an act that the governor in good faith believes to be an act of terrorism (as defined in IC 35-41-1-26.5); and

(B) in accordance with the rules adopted by the Indiana emergency medical services commission or the disaster emergency declaration of the governor.

(4) Commissioned medical officers or medical service officers of the armed forces of the United States, the United States Public Health Service, and medical officers of the United States Department of Veterans Affairs in the discharge of their official duties in Indiana.

(5) An individual who is not a licensee who resides in another state or country and is authorized to practice medicine or osteopathic medicine there, who is called in for consultation by an individual licensed to practice medicine or osteopathic medicine in Indiana.

(6) A person administering a domestic or family remedy to a member of the person's family.

(7) A member of a church practicing the religious tenets of the church if the member does not make a medical diagnosis, prescribe or administer drugs or medicines, perform surgical or physical operations, or assume the title of or profess to be a physician.

(8) A school corporation and a school employee who acts under IC 34-30-14 (or IC 34-4-16.5-3.5 before its repeal).



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- 1 (9) A chiropractor practicing the chiropractor's profession under
- 2 IC 25-10 or to an employee of a chiropractor acting under the
- 3 direction and supervision of the chiropractor under IC 25-10-1-13.
- 4 (10) A dental hygienist practicing the dental hygienist's profession
- 5 under IC 25-13.
- 6 (11) A dentist practicing the dentist's profession under IC 25-14.
- 7 (12) A hearing aid dealer practicing the hearing aid dealer's
- 8 profession under IC 25-20.
- 9 (13) A nurse practicing the nurse's profession under IC 25-23.
- 10 However, a registered nurse may administer anesthesia if the
- 11 registered nurse acts under the direction of and in the immediate
- 12 presence of a physician and holds a certificate of completion of a
- 13 course in anesthesia approved by the American Association of
- 14 Nurse Anesthetists or a course approved by the board.
- 15 (14) An optometrist practicing the optometrist's profession under
- 16 IC 25-24.
- 17 (15) A pharmacist practicing the pharmacist's profession under
- 18 IC 25-26.
- 19 (16) A physical therapist practicing the physical therapist's
- 20 profession under IC 25-27.
- 21 (17) A podiatrist practicing the podiatrist's profession under
- 22 IC 25-29.
- 23 (18) A psychologist practicing the psychologist's profession under
- 24 IC 25-33.
- 25 (19) A speech-language pathologist or audiologist practicing the
- 26 pathologist's or audiologist's profession under IC 25-35.6.
- 27 (20) An employee of a physician or group of physicians who
- 28 performs an act, a duty, or a function that is customarily within
- 29 the specific area of practice of the employing physician or group
- 30 of physicians, if the act, duty, or function is performed under the
- 31 direction and supervision of the employing physician or a
- 32 physician of the employing group within whose area of practice
- 33 the act, duty, or function falls. An employee may not make a
- 34 diagnosis or prescribe a treatment and must report the results of
- 35 an examination of a patient conducted by the employee to the
- 36 employing physician or the physician of the employing group
- 37 under whose supervision the employee is working. An employee
- 38 may not administer medication without the specific order of the
- 39 employing physician or a physician of the employing group.
- 40 Unless an employee is licensed or registered to independently
- 41 practice in a profession described in subdivisions (9) through
- 42 (18), nothing in this subsection grants the employee independent

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practitioner status or the authority to perform patient services in an independent practice in a profession.

(21) A hospital licensed under IC 16-21 or IC 12-25.

(22) A health care organization whose members, shareholders, or partners are individuals, partnerships, corporations, facilities, or institutions licensed or legally authorized by this state to provide health care or professional services as:

(A) a physician;

(B) a psychiatric hospital;

(C) a hospital;

(D) a health maintenance organization or limited service health maintenance organization;

(E) a health facility;

(F) a dentist;

(G) a registered or licensed practical nurse;

(H) a midwife;

(I) an optometrist;

(J) a podiatrist;

(K) a chiropractor;

(L) a physical therapist; or

(M) a psychologist.

(23) A physician assistant practicing the physician ~~assistant's~~ **assistant** profession under IC 25-27.5.

(24) A physician providing medical treatment under IC 25-22.5-1-2.1.

(25) An attendant who provides care services as defined in IC 16-27-1-0.5.

(26) A personal services attendant providing authorized attendant care services under IC 12-10-17.

(b) A person described in subsection (a)(9) through (a)(18) is not excluded from the application of this article if:

(1) the person performs an act that an Indiana statute does not authorize the person to perform; and

(2) the act qualifies in whole or in part as the practice of medicine or osteopathic medicine.

(c) An employment or other contractual relationship between an entity described in subsection (a)(21) through (a)(22) and a licensed physician does not constitute the unlawful practice of medicine under this article if the entity does not direct or control independent medical acts, decisions, or judgment of the licensed physician. However, if the direction or control is done by the entity under IC 34-30-15 (or IC 34-4-12.6 before its repeal), the entity is excluded from the

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application of this article as it relates to the unlawful practice of medicine or osteopathic medicine.

(d) This subsection does not apply to a prescription or drug order for a legend drug that is filled or refilled in a pharmacy owned or operated by a hospital licensed under IC 16-21. A physician licensed in Indiana who permits or authorizes a person to fill or refill a prescription or drug order for a legend drug except as authorized in IC 16-42-19-11 through IC 16-42-19-19 is subject to disciplinary action under IC 25-1-9. A person who violates this subsection commits the unlawful practice of medicine under this chapter.

(e) A person described in subsection (a)(8) shall not be authorized to dispense contraceptives or birth control devices.

SECTION 4. IC 25-27.5-1-1, AS AMENDED BY P.L.288-2001, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. **(a)** This article does not apply to the following:

(1) A physician assistant trainee or a student enrolled in a physician assistant or a surgeon assistant educational program accredited by an accrediting agency.

(2) A physician assistant employed in the service of the federal government while performing duties incident to that employment.

(3) A health care professional, technician, or other assistant or employee of a physician who performs delegated tasks in the office of a physician but who does not render services as a physician assistant or profess to be a physician assistant.

(b) This article grants a physician the authority to delegate, as the physician determines is appropriate, those services or tasks the physician typically performs.

(c) This article does not grant the authority to a physician assistant to function independently of a physician's supervision.

SECTION 5. IC 25-27.5-1-2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. **This article grants a supervising physician or physician designee the authority to delegate, as the physician determines is appropriate, those tasks or services the physician typically performs.**

SECTION 6. IC 25-27.5-1-3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. **This article does not grant the authority to a physician assistant to function independently of a physician's supervision.**

SECTION 7. IC 25-27.5-2-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS

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[EFFECTIVE JULY 1, 2003]: **Sec. 1.5. "Administer a drug" means the direct application of a drug, whether by injection, inhalation, ingestion, or any other means, to the body of a patient.**

SECTION 8. IC 25-27.5-2-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 5.5. "Deep sedation" means a controlled state of depressed consciousness that is produced by a pharmacologic method and that is accompanied by partial loss of protective reflexes, including the inability to respond purposefully to a verbal command.**

SECTION 9. IC 25-27.5-2-7.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 7.3. "Dispense" means issuing medical devices or one (1) or more doses of a drug in a suitable container with appropriate labeling for subsequent administration to or use by a patient.**

SECTION 10. IC 25-27.5-2-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 7.5. "General anesthesia" means a controlled state of unconsciousness that is produced by a pharmacologic method and that is accompanied by a partial or complete loss of protective reflexes, including the inability to independently maintain an airway and respond purposefully to physical stimulation or verbal command.**

SECTION 11. IC 25-27.5-2-7.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 7.8. "Light conscious sedation" means a minimally depressed level of consciousness produced by a pharmacologic method and under which an individual retains the ability to independently and continuously maintain an airway and respond appropriately to physical stimulation and verbal command.**

SECTION 12. IC 25-27.5-2-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 11. "Physician designee" means a physician who works or is trained in the same practice area as the practice area of the supervising physician, to whom responsibility for the supervision of a physician assistant is temporarily designated when the supervising physician is unavailable.**

SECTION 13. IC 25-27.5-2-12.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 12.5. (a) "Regional block anesthesia" means spinal anesthesia, epidural anesthesia, major**

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peripheral nerve blocks, or intravenous extremity blocks.

(b) This term does not include local infiltration anesthetics or digital blocks.

SECTION 14. IC 25-27.5-3-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. (a) The committee shall have regular meetings, called upon the request of the president or by a majority of the members appointed to the committee, for the transaction of business as may come properly before the committee under this article. At the first committee meeting of each calendar year, the committee shall elect a president and any other officer considered necessary by the committee by an affirmative vote of a majority of the committee.

(b) Three (3) members of the committee constitute a quorum. A quorum is required for the committee to take action on any business.

(c) The committee shall do the following:

(1) Consider the qualifications of individuals who apply for ~~certificates~~ **an initial certificate** under this article.

(2) Provide for examinations required under this article.

(3) **Consider the setting in which the physician assistant will be working under physician supervision.**

(4) **Approve or reject certification applications.**

(5) **Approve or reject renewal applications.**

(6) **Approve or reject applications for a change or addition of a supervising physician.**

(7) Certify qualified individuals.

~~(4)~~ (8) Propose rules to the board concerning the competent practice of physician assistants and the administration of this article.

~~(5)~~ (9) Recommend to the board the amounts of fees required under this article.

SECTION 15. IC 25-27.5-4-3, AS AMENDED BY P.L.32-2000, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. (a) If the committee issues a probationary certificate under section 2 of this chapter, the committee may require the individual who holds the certificate to meet at least one (1) of the following conditions:

(1) Report regularly to the committee upon a matter that is the basis for the probation.

(2) Limit practice to areas prescribed by the committee.

(3) Continue or renew professional education.

(4) Engage in community restitution or service without



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compensation for a number of hours specified by the committee.

(5) Submit to the care, counseling, or treatment by a physician designated by the committee for a matter that is the basis for the probation.

(b) The committee shall remove a limitation placed on a probationary certificate if after a hearing the committee finds that the deficiency that caused the limitation has been remedied.

SECTION 16. IC 25-27.5-4-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. (a) The committee may grant temporary certification to an applicant who:

(1) meets the qualifications for certification under section 1 of this chapter except:

(A) for the taking of the **next scheduled** NCCPA examination; or

(B) if the applicant has taken the NCCPA examination and is awaiting the results; or

(2) meets the qualifications for certification under section 1 of this chapter but is awaiting the next scheduled meeting of the committee.

(b) A temporary certification is valid until: ~~the earliest of the following:~~

(1) the results of an applicant's examination are available; **and**

(2) the committee makes a final decision on the applicant's request for certification.

(c) The bureau shall immediately revoke a temporary certificate under this section upon notice to the bureau that the temporary certificate holder has failed the NCCPA examination. The committee may extend a temporary certificate at the discretion of and on the terms agreed upon by a majority vote of the members appointed to the committee at the committee's next regularly scheduled meeting.

(d) A physician assistant practicing under a temporary certificate must practice with onsite physician supervision, and, notwithstanding IC 25-27.5-5-4, may not dispense drugs or medical devices.

~~(d)~~ **(e) A physician assistant who notifies the board committee in writing and returns the individual's wallet certificate and wall certificate issued under this article may elect to place the physician assistant's certification on an inactive status.**

(f) An individual who holds a certificate under this article and who practices as a physician assistant while:

(1) the individual's certification has lapsed; or

(2) the individual is on inactive status under this section;

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1 shall be considered to be practicing without a certificate and is
2 subject to discipline under IC 25-1-9.

3 SECTION 17. IC 25-27.5-4-5 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. (a) A certificate
5 issued by the committee expires on a date established by the health
6 professions bureau under IC 25-1-5-4 in the next even-numbered year
7 following the year in which the certificate was issued.

8 (b) An individual may renew a certificate by paying a renewal fee
9 on or before the expiration date of the certificate.

10 (c) If an individual fails to pay a renewal fee on or before the
11 expiration date of a certificate, the certificate becomes invalid and
12 must be returned to the committee.

13 SECTION 18. IC 25-27.5-4-7 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 7. (a) An individual
15 who is certified under this chapter shall notify the committee in writing
16 and return the individual's wallet certificate and wall certificate
17 when the individual retires from practice.

18 (b) Upon receipt of the notice, the committee shall:

19 (1) record the fact the individual is retired; and

20 (2) release the individual from further payment of renewal fees.

21 SECTION 19. IC 25-27.5-5-1 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) This chapter does
23 not apply to the practice of other health care professionals set forth
24 under IC 25-22.5-1-2(a)(1) through IC 25-22.5-1-2(a)(19).

25 (b) This chapter does not allow the independent practice by a
26 physician assistant of any of the activities of other health care
27 professionals set forth under IC 25-22.5-1-2(a)(1) through
28 IC 25-22.5-1-2(a)(19).

29 SECTION 20. IC 25-27.5-5-2 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) A physician
31 assistant must engage in a dependent practice with physician
32 supervision. A physician assistant may perform, under the supervision
33 of the supervising physician, the duties and responsibilities that are
34 delegated by the supervising physician and that are within the
35 supervising physician's scope of practice, including prescribing and
36 dispensing drugs and medical devices. A patient may elect to be
37 seen, examined, and treated by the supervising physician.

38 (b) A working diagnosis made by the physician assistant must
39 be:

40 (1) confirmed; and

41 (2) the final diagnosis made;

42 by the supervising physician or physician designee under

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1 **IC 25-27.5-6-1(b).**

2 SECTION 21. IC 25-27.5-5-4 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. (a) ~~The board may~~
4 ~~adopt rules under IC 4-22-2 to determine the appropriate use of~~
5 ~~prescription drugs by a physician assistant. Except as otherwise~~
6 **provided in this section, a physician assistant may prescribe,**
7 **dispense, and administer drugs and medical devices or services to**
8 **the extent delegated by the supervising physician.**

9 (b) **A physician assistant may not prescribe, dispense, or**
10 **administer ophthalmic devices, including glasses, contact lenses,**
11 **and low vision devices.**

12 (c) **A physician assistant may not prescribe, administer, or**
13 **monitor general anesthesia, regional block anesthesia, and deep**
14 **sedation. A physician assistant may not administer light conscious**
15 **sedation during diagnostic tests, surgical procedures, or obstetric**
16 **procedures unless the following conditions are met:**

17 (1) **A physician is physically present in the area and is**
18 **immediately available to assist in the management of the**
19 **patient.**

20 (2) **The physician assistant is qualified to rescue patients from**
21 **deep sedation and is competent to manage a compromised**
22 **airway and to provide adequate oxygenation and ventilation.**

23 (d) **A physician assistant may not prescribe drugs unless the**
24 **physician assistant has successfully completed at least thirty (30)**
25 **contact hours in pharmacology from an educational program that**
26 **is approved by the committee and an accrediting agency.**

27 (e) **As permitted by the board, a physician assistant may use or**
28 **dispense only drugs prescribed or approved by the supervising**
29 **physician. Prescription and administration of drugs may include:**

30 (1) **all legend drugs approved by the supervising physician;**
31 **and**

32 (2) **not more than a seven (7) day supply of scheduled**
33 **substances listed under IC 35-48-2 approved by the**
34 **supervising physician.**

35 (c) ~~Notwithstanding subsection (b); a physician assistant may not~~
36 ~~dispense a scheduled substance listed under IC 35-48-2.~~

37 (f) **A physician assistant may request, receive, and sign for**
38 **professional samples and may distribute professional samples to**
39 **patients if the samples are within the scope of the physician**
40 **assistant's prescribing privileges delegated by the supervising**
41 **physician.**

42 SECTION 22. IC 25-27.5-5-6 IS ADDED TO THE INDIANA



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CODE AS A NEW SECTION TO READ AS FOLLOWS
 [EFFECTIVE JULY 1, 2003]: **Sec. 6. (a) Except as provided in section 4(d) of this chapter, a supervising physician may delegate authority to a physician assistant to prescribe:**

(1) legend drugs, except as provided in section 4(c) of this chapter;

(2) not more than a seven (7) day supply of controlled substances (as defined in IC 35-48-1-9) at one (1) time; and

(3) medical devices (except ophthalmic devices, including glasses, contact lenses, and low vision devices).

(b) Any prescribing authority delegated to a physician assistant must be expressly delegated in writing by the physician assistant's supervising physician.

(c) A physician assistant who is delegated the authority to prescribe legend drugs or medical devices must do the following:

(1) Enter on each prescription form that the physician assistant uses to prescribe a legend drug or medical device:

(A) the signature of the physician assistant;

(B) the initials indicating the credentials awarded to the physician assistant by the NCCPA; and

(C) the physician assistant's state certificate number.

(2) Comply with all applicable state and federal laws concerning prescriptions for legend drugs and medical devices.

(d) A supervising physician may delegate to a physician assistant the authority to prescribe only legend drugs and medical devices that are within the scope of practice of the licensed supervising physician or the physician designee.

(e) A physician assistant who is delegated the authority to prescribe controlled substances under subsection (a) must do the following:

(1) Obtain an Indiana controlled substance registration and a federal Drug Enforcement Administration registration.

(2) Enter on each prescription form that the physician assistant uses to prescribe a controlled substance:

(A) the signature of the physician assistant;

(B) the initials indicating the credentials awarded to the physician assistant by the NCCPA;

(C) the physician assistant's state certificate number; and

(D) the physician assistant's federal Drug Enforcement Administration (DEA) number.

(3) Comply with all applicable state and federal laws

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- 1 **concerning prescriptions for controlled substances.**
- 2 **(f) A supervising physician may delegate to a physician assistant**
- 3 **the authority to prescribe only controlled substances that may be**
- 4 **prescribed within the scope of practice of the licensed supervising**
- 5 **physician or the physician designee.**

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